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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

10 MARK JOHNSON and FRANCO S. CALZOLAI

Case No. CV 09-5503 JSW

**Plaintiff.**

vs.

13 THE CITY AND COUNTY OF SAN  
14 FRANCISCO, THE SAN FRANCISCO  
15 FIRE DEPARTMENT, THE SAN  
16 FRANCISCO FIRE COMMISSION, and  
THE CIVIL SERVICE COMMISSION  
OF SAN FRANCISCO.

NOTICE AND MOTION FOR ADMINISTRATIVE  
RELIEF TO FILE SECOND AMENDED  
COMPLAINT; STIPULATION OF THE  
ATTORNEYS FOR THE PLAINTIFFS AND THE  
DEFENDANTS; and ~~PROPOSED~~ ORDER

Defendants.

19 TO THE CLERK OF THE COURT AND COUNSEL FOR THE DEFENDANT

20 Notice is hereby given that Plaintiffs Mark Johnson and Franco S. Calzolai move the court to  
21 file a Second Amended Complaint in this matter.

22 This motion is based on the Stipulation between the Attorneys for the Plaintiff, Murlene J.  
23 Randle, and the Defense, Gina Rocanova, Deputy City Attorney.

24 | Date: August 25, 2010

## Law Office of Murlene J. Randle

/s/

Murlene J. Randle, Attorney for Plaintiff

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28 NOTICE AND MOTION FOR ADMINISTRATIVE RELIEF TO FILE SECOND AMENDED COMPLAINT;  
STIPULATION OF THE ATTORNEYS FOR THE PLAINTIFFS AND THE DEFENDANTS; and [PROPOSED]  
ORDER

Case No. CV 09-5503 JSW

## STIPULATION

1. On August 12, 2010 Plaintiffs filed a First Amended Complaint to include Plaintiff Franco S. Calzolai.
  2. At that time Plaintiffs' Attorney and Defendants' Attorney met and conferred regarding a third Plaintiff to be included in this matter, Michael R. Bryant (BRYANT).
  3. That Plaintiffs' attorney informed Defendants' attorney that BRYANT was still awaiting his Notice of Right to Sue from the Equal Employment Opportunity Commission.
  4. Plaintiffs' attorney sought another stipulation to continue the date to file an amended complaint.
  5. Defendants' attorney was not inclined to stipulate to another continuance, but agreed to meet and confer once BRYANT's Notice of Right to Sue was received.
  6. BRYANT's Notice of Right to Sue was received on or about August 13, 2010.
  7. Shortly thereafter both parties' attorneys met and conferred regarding the filing of a Second Amended Complaint to include BRYANT.
  8. Therefore, both parties stipulate to filing a Second Amended Complaint in this matter.
  9. Accordingly, the Parties respectfully request that the court grant the Proposed Order to file the Second Amended Complaint.

Dated: August 27, 2010

LAW OFFICES OF MURLENE J. RANDLE

By: /s/  
Murlene J. Randle, Attorney for the Plaintiff

Dated: August 27, 2010

DENNIS J. HERRERA, City Attorney  
By:   
Gina M. Rocanova, Deputy City Attorney  
Attorneys for the City and County of San Francisco

## ORDER

GOOD CAUSE HAVING BEEN FOUND, pursuant to Stipulation of Counsel for the Plaintiff and the Defense, the Court hereby grants Plaintiffs' Motion to File a Second Amended Complaint.

IT IS SO ORDERED.

September 1, 2010

Dated: August, 2010

The Honorable Jeffrey S. White  
United States District Judge